

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35965

STATE OF IDAHO,)	2009 Unpublished Opinion No. 589
)	
Plaintiff-Respondent,)	Filed: August 28, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
KEVIN EUGENE ELMORE,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Michael R. McLaughlin, District Judge.

Judgment of conviction and unified life sentence, with a minimum period of confinement of six years, for felony driving under the influence and being a persistent violator, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before PERRY, Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Kevin Eugene Elmore pled guilty to felony driving under the influence, I.C. §§ 18-8004, 18-8005(7), and being a persistent violator, I.C. § 19-2514. In exchange for his guilty plea, additional charges were dismissed. The district court sentenced Elmore to a unified life term, with a minimum period of confinement of six years. Elmore appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Elmore's judgment of conviction and sentence are affirmed.